	Application No.	Applicant(s)
Notice of Allowability	10/803,120	CUNNINGHAM, BRIAN D.
	Examiner	Art Unit
	Ryan Jakovac	2445

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address*--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to <u>04/29/2011</u>.

2. ☒ The allowed claim(s) is/are <u>31-51, 53-79, 81-88</u>.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

      a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

          1. ☐ Certified copies of the priority documents have been received.

          2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

          3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date <u>20110615</u> .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

/Andrew Caldwell/
Supervisory Patent Examiner, Art Unit 2445

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

2.   Authorization for this examiner's amendment was given in a telephone interview

with Jeffrey D. Karceski (Reg. No. 35,914) on June 15, 2011.

3.   The application has been amended as follows:

IN THE CLAIMS

1.-30. (Cancelled)

31.   (Previously Presented) A method comprising:

generating, from at least a portion of a first electronic message for an intended

recipient, first identification data that uniquely identifies said first electronic message;

associating said first identification data with said first electronic message;

storing said first identification data;

sending to said intended recipient said first electronic message with said first identification data;

receiving on behalf of said intended recipient a first confirmation request including said first identification data and requesting confirmation that said first electronic message was authorized by said originator;

comparing said first identification data received in said first confirmation request to said first stored identification data;

upon determining that said first identification data received in said first confirmation request matches said first stored identification data, responding to said first confirmation request, affirming said first electronic message was authorized by said originator;

generating, from at least a portion of a subsequent electronic message for said intended recipient, subsequent identification data that uniquely identifies said subsequent electronic message and distinguishes said subsequent electronic message from other electronic message authorized by said originator for said intended recipient;

associating said subsequent identification data with said subsequent electronic message;

storing said subsequent identification data;

sending to said intended recipient said subsequent electronic message with said subsequent identification data;

receiving on behalf of said intended recipient a subsequent confirmation request including said subsequent identification data and requesting confirmation that said subsequent. electronic message was authorized by said originator;

comparing said subsequent identification data received in said subsequent confirmation request to said subsequent stored identification data; and

upon determining that said subsequent identification data received in said subsequent confirmation request matches said stored subsequent identification data, responding to said subsequent confirmation request, affirming said subsequent electronic message was authorized by said originator.

32.   (Previously Presented) The method of claim 31, wherein each of said first electronic message and said subsequent electronic message includes one of a text message, VoIP message, or instant message.

33.   (Previously Presented) The method of claim 31, wherein each of said first identification data and said subsequent identification data is derived at least in part: from information contained in one or more of a message header, a message text, and a timestamp, of said first electronic message or said subsequent electronic message, respectively.

34.   (Previously Presented) The method of claim 31, wherein said first identification data and said subsequent identification data is included in a message header of said first electronic message and said subsequent electronic message, respectively.

35.   (Previously Presented) The method of claim 31, wherein said sending includes attaching said first identification data and said subsequent identification data as an attachment to said first electronic message and said subsequent electronic message, respectively.

36.   (Previously Presented) The method of claim 31, wherein said first identification data and said subsequent identification data is included a text of said first electronic message and said subsequent electronic message, respectively,

37.   (Previously Presented) The method of claim 31, further comprising:

calculating a checksum for a text of said first electronic message and said subsequent electronic message, respectively; and

including said checksum in said first identification data and said subsequent identification data, respectively.

38.   (Previously Presented) The method of claim 31, wherein said receiving a first confirmation request includes receiving said first confirmation request via port-to-port communication; and

wherein said receiving a subsequent confirmation request includes receiving said subsequent confirmation request via port-to-port communication.

39.   (Previously Presented) The method of claim 31, wherein said receiving a first confirmation request includes receiving a first confirming electronic message; and

wherein said receiving said subsequent confirmation request includes receiving a subsequent confirming electronic message.

40.   (Previously Presented) The method of claim 39, wherein each of said first or subsequent confirming electronic messages includes one of a text message, VoIP message, or instant message.

41.   (Previously Presented) The method of claim 31, wherein said responding

to each of said first or subsequent confirmation request includes responding via port-to-port communication.

42.   (Previously Presented) The method of: claim 31, wherein said responding to each of said first or subsequent confirmation request includes responding with a return electronic message.

43.   (Previously Presented) The method of claim 42, wherein each of said first or subsequent return electronic messages is one of a text message, VoIP message, or instant message.

44.   (Previously Presented) The method of claim 31, wherein said comparing is performed at a device different from a device at which said associating is performed.

45.   (Previously Presented) The method of claim 31, wherein; said comparing is performed at a device different from a device at which said sending is performed.

46.   (Previously Presented) The method of claim 31, wherein each of said first or subsequent identification data is an alphanumeric string.

47.   (Currently Amended) A system comprising:

a computer comprising a sending module operable to:

send to an intended recipient at least a first and a subsequent

electronic message authorized by an originator and first and subsequent

identification data uniquely identifying said first and subsequent electronic

messages, the first and subsequent identification data distinguishing said

first and subsequent electronic messages from other electronic messages

authorized by the originator, said first and subsequent identification data

being stored for subsequent access, said first and subsequent

identification data being generated from at least a portion of the first and

subsequent electronic messages; [[and]]

a confirming module operable to:

receive on behalf of the intended recipient first and subsequent

confirmation requests including said first and subsequent identification

data and requesting confirmation that said first and subsequent electronic

messages were authorized by the originator;

compare said first and subsequent identification data received in

said first and subsequent confirmation requests to said stored first and

subsequent identification data; and

upon determining that said first and subsequent identification data

received in said first and subsequent confirmation requests match said

first and subsequent stored identification data, respond to said first and

second confirmation requests, affirming said first and subsequent

electronic messages were authorized by the originator.

48.   (Previously Presented) The system of claim 47, wherein said sending

module is operable to send to the intended recipient said first and subsequent

electronic messages that include one of a text message, VoIP message, or

instant message.

49.   (Previously Presented) The system of claim 47, wherein said first and

subsequent identification data was generated from information contained in one

or more of a message header, a message text, and a timestamp, of said first and

subsequent electronic messages.

50.   (Previously Presented) The system of claim 47, wherein said first and

subsequent identification data is an alphanumeric string.

51.   (Previously Presented) The system of claim 47, wherein said first and

subsequent identification data is included in a message header of said first and

subsequent electronic messages.

52.   (Cancelled)

53.   (Previously Presented) The system of claim 47, wherein said first and

subsequent identification data is included in a message text of said first and subsequent electronic messages.

54.   (Previously Presented) The system of claim 47, wherein said sending includes attaching said first and subsequent identification data as an attachment to said first and subsequent electronic messages.

55.   (Previously Presented) The system of claim 47, further comprising:

calculating a checksum for a text of said first and subsequent electronic messages; and

including said checksum in said first and subsequent identification data.

56.   (Previously Presented) The system of claim 47, wherein said confirmation module is operable to receive said first and subsequent confirmation requests via port-to-port communication.

57.   (Previously Presented) The system of claim 47, wherein said confirmation module is operable to respond to said first and subsequent confirmation requests via port-to-port communication.

58.   (Previously Presented) The system of claim 47, wherein said confirmation module is operable to receive said first and subsequent confirmation requests as first and subsequent confirming electronic messages.

59.   (Previously Presented) The system of claim 58, wherein said first and subsequent confirming electronic messages are one of a text message, VoIP message, or instant message.

60.   (Previously Presented) The system of claim 47, wherein said confirmation module is operable to respond to said first and subsequent confirmation requests with a return electronic message.

61.   (Previously Presented) The system of claim 60, wherein said return electronic message is one of a text message, VoIP message, or instant message.

62.   (Previously Presented) A method comprising:

receiving a first confirmation request to confirm that first electronic message sent
to an intended recipient was authorized by an originator identified in the first electronic message, the first confirmation request including first identification data purposing to uniquely identify the first electronic message, the first identification data having been generated from at least a portion of the first electronic message:;

searching a data store, separate from said first; electronic message, for said first identification data;

upon determining that said data store does not contain said first identification data, responding to said confirmation request, denying the first electronic message was authorized by the originator;

receiving a subsequent confirmation request to confirm that a subsequent electronic message sent to an intended recipient was authorized by the originator identified in the subsequent electronic message, the subsequent confirmation request including subsequent identification data purporting to uniquely identify the subsequent electronic message, the subsequent identification data distinguishing said subsequent electronic message from other electronic messages authorized by the originator, the subsequent identification data having been generated from at least a portion of the subsequent electronic message;

searching a data store, separate from said subsequent electronic message, for said subsequent identification data; and

upon determining that said data store does not contain said subsequent identification data, responding to said subsequent confirmation request, denying the subsequent electronic message was authorized by the originator.

63.   (Previously Presented) The method of claim 62, wherein said receiving a confirmation request includes receiving said first and subsequent confirmation requests via port-to- port communication.

64.   (Previously Presented) The method of claim 62, wherein said; responding

to said first and subsequent confirmation requests includes responding via port-to-port communication.

65.   (Previously Presented) The method of claim 62, wherein said receiving first and subsequent confirmation request includes receiving first and subsequent confirming electronic messages.

66.   (Previously Presented) The method of claim 65, wherein said first and subsequent confirming electronic messages are one of a text message, VoIP message, or instant message.

67.   (Previously Presented) The method of claim 62, wherein said responding to said first and subsequent confirmation requests includes responding with first and subsequent return electronic messages.

68.   (Previously Presented) The method of claim 67, wherein said first and subsequent return electronic messages are one of a text message, VoIP message, or instant message.

69.   (Previously Presented) A method comprising:

        receiving a first confirmation request to confirm that a first electronic message sent to an intended recipient was authorized by an originator identified

in the first electronic message, the first confirmation request including first identification data purporting to uniquely identify the first electronic message, the first identification data having been generated from at least a portion of the first electronic message;

searching a data store, independent of said first electronic message, for said first identification data;

upon determining that said data store contains said first identification data, responding to said first confirmation request, affirming the first electronic message was authorized by the originator;

receiving a subsequent confirmation request to confirm that a subsequent electronic message sent to an intended recipient was authorized by the originator identified in the subsequent electronic message, the subsequent confirmation request including subsequent identification data purporting to uniquely identify the subsequent electronic message, the, subsequent identification data distinguishing said subsequent electronic message from other electronic messages authorized by the originator, the subsequent identification data having been generated from at least a portion of the subsequent electronic message;

searching a data store, independent of said subsequent electronic message, for said subsequent identification data; and

upon determining that said data store contains said subsequent identification data, responding to said subsequent confirmation request, affirming the subsequent electronic message was authorized by the originator.

70.   (Previously Presented) The method of claim 69, wherein said receiving first and subsequent confirmation requests includes receiving said first and subsequent confirmation requests via port-to-port communication.

71.   (Previously Presented) The method of claim 69, wherein said responding to said first and subsequent confirmation requests includes responding via port-to-port communication.

72.   (Previously Presented) The method of claim 69, wherein said receiving first and subsequent confirmation requests includes receiving first and subsequent confirming electronic messages.

73.   (Previously Presented) The method of claim 72, wherein said first and subsequent confirming electronic messages are one of a text message, VoIP message, or instant message.

74.   (Previously Presented) The method of claim 69, wherein said responding to said first and subsequent confirmation requests includes responding with first and subsequent return electronic messages.

75.   (Previously Presented) The method of claim 74, wherein said first and

subsequent return electronic message-is messages are one of a text message, VoIP message, or instant message.

76. (Currently Amended) A method comprising:

receiving from a sending device a first electronic message authorized by an originator, said first electronic message containing first information identifying the originator, the first identifying information having been generated from at least a portion of the first electronic message;

sending to a confirmation device a first confirmation request requesting confirmation that said first electronic message was authorized by the originator;

searching a data store, independent of said first electronic message, for said first identification information;

upon determining that said data store contains said first identification information responding to said first confirmation request, affirming the first electronic message was authorized by the originator;

receiving a response to said first confirmation request affirming said first electronic message was authorized by the originator;

allowing said first electronic message to be further processed according to rules for processing of confirmed electronic messages directed to the intended recipient;

receiving from the sending device a second electronic message different from said first electronic message authorized by the originator, said second electronic message containing second information identifying the originator, the

second identifying information having been generated from at least a portion of the second electronic message and distinguishing said second electronic message from other electronic messages authorized by the originator;

sending to the confirmation device a second confirmation request requesting confirmation that said second electronic message was authorized by the originator;

searching a data store, independent of said second electronic message, for said second identification information;

upon determining that said data store contains said second identification information responding to said second confirmation request, affirming the second electronic message was authorized by the originator;

receiving a response to said second confirmation request affirming said second electronic message was authorized by the originator; and

allowing said second electronic message to be further processed according to rules for processing of confirmed electronic messages directed to the intended recipient.

77.   (Previously Presented) The method of claim 76, wherein each of said first electronic message and said second electronic message includes one of a text message, VoIP message, or instant message.

78. (Previously Presented) The method of claim 76, wherein said sending to a

confirmation device includes sending said first: confirmation request and said second confirmation request via port-to-port communication.

79. (Previously Presented) The method of claim 76, wherein said receiving a response includes receiving the response via port-to-port communication.

80. (Cancelled)

81. (Previously Presented) The method of claim 76, wherein each of said first confirmation request and said second confirmation request is a confirming electronic message.

82. (Previously Presented) The method of claim 81, wherein said confirming electronic message is one of a text message, VoIP message, or instant message.

83. (Previously Presented) The method of claim 76, wherein said response to said first confirmation is a return electronic message.

84. (Previously Presented) The method of claim 83, wherein said return electronic message is one of a text message, VoIP message, or instant message.

85.   (Previously Presented) The method of claim 31, wherein:

the associating, storing and sending are at a sending module of a sending

email system; and

the receiving, comparing and responding are at a confirmation module of

the sending email system.

86.   (Previously Presented) The method of claim 62, wherein the receiving,

searching and responding are at a confirmation module of a sending email

system.

87. (Previously Presented) The method of claim 69, wherein the receiving,

searching and responding are at a confirmation module of a sending email

system.

88. (Previously Presented) The method of claim 76, wherein receiving the first

electronic message,

sending the first confirmation request,

receiving the response affirming said first electronic message was

authorized by the originator,

allowing said first electronic message to be further processed, receiving the second electronic message, and sending the: second confirmation request are at a receiving email system.

REASONS FOR ALLOWANCE

4.   The following is an examiner's statement of reasons for allowance. In interpreting

the claims, in light of the specification and the applicant's amendments and remarks

filed 04/29/2011 and the interview of 06/15/2011, the Examiner finds the claimed

invention to be patentably distinct from the prior art of record. The prior art does not

teach the sender side generation and storage of unique email identification data where

the unique email identification data is attached to outgoing email and the subsequent

reception of confirmation requests requesting confirmation the email was sent by the

sender where the requests including the unique email identification data and where after

the reception, the stored unique email identification data is compared to the received

unique email identification data in the confirmation request where a match between the

stored email identification data and received identification data is used as a basis to

respond to the confirmation request; and further sending subsequent email and

responding to subsequent confirmation requests in the same manner as recited in and

as required by the Applicant's claims.

5.   Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferable

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

6.   Claims 31-51, 53-79, and 81-88 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Jakovac whose telephone number is (571)270-5003. The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan Jakovac/
Examiner, Art Unit 2445

/Andrew Caldwell/
Supervisory Patent Examiner, Art Unit 2445